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14 **UNITED STATES DISTRICT COURT**
15
16 **DISTRICT OF NEVADA**

17 BILLY CEPERO,

18 Plaintiff,

19 Case No.: 2:11-cv-01421-JAD-NJK

20 vs.

21 GILLESPIE, ET AL.,

22 Defendants.

23
24 **STIPULATION AND ORDER TO EXTEND DEFENDANTS' DEADLINE TO FILE**
REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT (FIRST REQUEST)

25 Pursuant to LR 6-1 and LR 26-4, Plaintiff Billy Cepero ("Plaintiff"), through the law firm
26 of Messner Reeves LLP, and Defendants ("Defendants"), through the law firm of Marquis
27 Aurbach Coffing, hereby stipulate and request that this court extend Defendants' deadline to file
28 their Reply in Support of Motion for Summary Judgment in the above-captioned case fourteen
1 (14) days, up to and including March 30, 2020.¹ This is the first stipulation for extension of time
2 to file a reply to Plaintiff's opposition. No hearing has been set for the motion.

3 **I. DISCOVERY COMPLETED TO DATE**

4 1. Cepero served multiple sets of written discovery on the Defendants and responded
5 to written discovery.

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¹ The original date for the reply was March 14, but this is a Saturday. So, pursuant to the Rules, the
28 current deadline is March 16. LVMPD is requesting that the date be extended two weeks to March 30.

1 2. Defendants served written discovery on Cepero and responded to written
2 discovery.

3 3. Both parties have taken multiple depositions.

4 4. Both parties have made multiple supplements to their disclosures of witnesses and
5 documents.

6 **II. WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

7 Discovery is complete. The Parties are not in need of additional discovery. LVMPD is
8 simply requesting additional time to respond to Cepero's opposition to the summary judgment
9 motion.

10 Counsel for LVMPD handling the reply has been engaged in depositions for a double
11 fatality accident, which has included eight depositions this week alone. Other deadlines and
12 related issues have made it difficult to respond to Plaintiff's opposition by the current deadline.

13 LVMPD's counsel foresaw there was going to be concerns with preparing a timely reply
14 in the midst of the depositions and everything else on calendar, reached out to Plaintiff's counsel,
15 and Plaintiff's counsel graciously agreed to the two-week extension, for which LVMPD's
16 counsel is/was very appreciative.

17 **III. DISCOVERY REMAINING**

18 None.

19 **IV. EXTENSION OR MODIFICATION OF THE DISCOVERY PLAN AND**
20 **SCHEDULING ORDER**

21 The following is a list of the current discovery deadlines and the parties' proposed
22 extended deadlines.

ACTIVITY	DATE	PROPOSED DEADLINE
Amend Pleadings or Add Parties	July 30, 2018	Passed
Expert Disclosures Pursuant to Fed.R.Civ.P. 26(a)(2)	January 17, 2019	Passed
Rebuttal Expert Disclosure Pursuant to Fed.R.Civ.P.	February 15, 2019	Passed

26(a)(2)		
Discovery Cut-Off Date	July 16, 2019	Passed
Dispositive Motions	January 17, 2020	Passed
Joint Pretrial Order	February 14, 2020	Suspended

Since a dispositive motion was filed, the deadline for filing the Joint Pre-Trial Order has been suspended until thirty (30) days after the decision on the dispositive motion or further court order. This request for an extension of time is not sought for any improper purpose or other purpose of delay. This is the first request for an extension of time on the reply.

The parties respectfully submit that the reasons set forth above constitute compelling reasons for the extension of the deadline to reply to Plaintiff's opposition.

Dated this 11th day of March, 2020.

MARQUIS AURBACH COFFING

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Dated this 11th day of March, 2020.

MESSNER REEVES LLP

By: /s/ Lauren D. Calvert
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ORDER

IT IS SO ORDERED this 12th day of March, 2020.


UNITED STATES DISTRICT JUDGE